

Official Minutes for Webb County Commissioners Court Meeting

Monday, February 28, 2005 at 1:00 PM and
continuing Tuesday, March 1, 2005 at 1:00 PM
(Approved 03-28-2005)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:
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| Louis H. Bruni | County Judge |
| Frank Sciaraffa | Commissioner, Pct. 1 |
| Judith Gutierrez | Commissioner, Pct. 2 |
| Jerry Garza | Commissioner, Pct. 3 |
| Cynthia Brunner | Commissioner, Pct. 4 |
- Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 25th of February 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.
- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk
- Item No. 3 Pledge of Allegiance
- Item No. 4 Approval of minutes – January 24th and continuing January 25th, 2005
- Cmr. Gutierrez motioned to approve the minutes as presented. Cmr. Garza seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 5 Approval of bills, payroll and monthly reports
- Mr. Leo Flores, County Auditor, stated that he presented his report at the first meeting of this month.
- Ms. Delia Perales, County Treasurer, presented her monthly report to the court. She stated that if the current sales tax revenue trend continues, there would be an increase of \$500,000 from last year. She also submitted to the court a letter contesting the audit performed by the County Auditor regarding an alleged overpayment to dismissed sheriff's employees.

Cmr. Gutierrez motioned to accept the County Treasurer's Monthly report. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Communications

Cmr. Sciaraffa welcomed everyone for their presence. He sent his condolences to the families of Mr. Rogelio Moncivais and Mr. Ramiro De La Fuente. He welcomed the mayors of El Cenizo and Rio Bravo, Mr. Raul Reyes and Mr. Juan Gonzalez, for their presence at today's meeting.

Cmr. Gutierrez sent her condolences to the family of Sister Bernard Mary Obregon of the Sisters of Mercy who passed away in St. Louis this past week. She stated that a memorial service would held locally since Sister Obregon would be buried in St. Louis.

Item No. 7 Public Comment

Mr. Juan Gonzalez, Rio Bravo mayor, was present to address Item No. 21. He stated that this community park will be a safe haven for the children on Rio Bravo. He stated that the entire community of Rio Bravo is working on bringing the city up to par with other cities. He thanked Cmr. Sciaraffa for his assistance in bringing this park to the city of Rio Bravo.

Judge Bruni stated that he and Cmr. Sciaraffa put in an additional \$250,000 for this project.

Ms. Mary Meier was present to address Item No. 9. She stated that she comes before the court with the same problem as before. She stated that the roads have been partially repaired but that the recent rains have caused the road problems to become even bigger.

Mr. Muñoz was present to address Item No. 9. He stated that he was not ashamed of not being able to speak perfect English. He stated that he came before the court with an open heart and only requested that the court do what has been promised. He stated that the children should not have to suffer.

Judge Bruni advised the court and public that due to problems with Public Access, they were not live at the moment.

Item No. 8 Proclamation proclaiming February 2005 as "American Red Cross Month"

Item No. 9 Discussion and possible action to direct the Road & Bridge Department to maintain all county roads at Pueblo Nuevo Subdivision, and apply a flexible base on any such roads as needed in order to facilitate public access to and from said Colonia.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, stated that there were three main roads in Pueblo Nuevo. He stated that he is currently working on a letter showing the length of these roads and the cost to repair them. He stated that Mr. Tomas Rodriguez, County Engineer, would also submit a list of those county roads that would be paved under the Colonia Access Program. Cmr. Garza stated that there are over fifty colonias in Webb County and that there needed to be a long term plan in order to prioritize what is needed and to make sure that the work is done. Judge Bruni stated that they were not discussing those roads under the Colonia Access Program. He stated that if Webb County would be unable to do this, Bruni Co-Op would be willing to do the work. Mr. Homero Ramirez, County Attorney, stated that the discussion on this item needed to be tailored to what the item states. He stated that as per the Transportation Code, the Road and Bridge Superintendent needs to submit a monthly report to the court showing the status of the county roads. He stated that the court can continue addressing the problems of the specific colonias listed in the agenda but would have to discuss a larger plan at a future meeting as long as an appropriate agenda item is submitted. Judge Bruni stated that the colonias in Item No. 9 and No. 10 are being focused on due to their dire situations. Cmr. Gutierrez stated that Pueblo Nuevo has three main roads that have been maintained to some extent over the years. She stated that the county cannot forget about the other fifty colonias in Webb County, some of which have worse problems with the roads. She stated that the court cannot treat the colonias and its residents differently. She stated that there was not reason to do the repairs immediately if there is no sewer system in place. She stated that without a sewer system, the next hard rain will flood the roads again and all the work done will be ruined. She brought up the possibility of establishing a committee to overlook these problems which would include Mr. Homero Ramirez, Mr. Leo Flores, Mr. Jose Luis Rodriguez, Cmr. Cortez-Brunner and herself.

Motion carried 5-0 by unanimous consent.

- Item No. 10 Discussion and possible action to direct the Road & Bridge Department to maintain all county roads at Ranchitos 359 Subdivision, and apply a flexible base on any such roads as needed in order to facilitate public travel to and from said Colonia.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Discussion and possible action to direct the Webb County Purchasing Agent to solicit request for proposals for a consultant on matters relating to golf courses in general, and in a "needs assessment" of the Casa Blanca Course.

Cmr. Garza motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Gutierrez inquired as to how much money would be spent on the consultant. Judge Bruni stated that the fund for this item would be coming from his bond monies.

Motion carried 4-1 with Cmr. Gutierrez voting against.

Item No. 12 Discussion and possible action to approve the transfer of \$783,603.00 from the following funds, and in respective amounts as shown below, to Fund 660, Capital Outlay—Series 2003, and to assign the funds to the Webb County Sheriff for capital outlay purchases:

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|----|----------|--|--------------|
| a. | Fund 663 | Rain Enhancement, Series 2003 | \$541,909.00 |
| b. | Fund 668 | Casa Blanca Dredging, Sr. 2003 | \$146,694.00 |
| c. | Fund 695 | Park Development Precinct 3, Series 2003 | \$95,000.00 |

Cmr. Garza motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Gutierrez stated that the monies set aside for the dredging of Lake Casa Blanca were very important. She stated that she understood the dire needs of the Sheriff but would request that any monies used be replaced with the next bond issuance. Cmr. Sciaraffa stated that Cmr. Gutierrez's request should be made a part of the motion. Judge Bruni stated that he felt that the dredging project was a monumental task and does not feel that it is doable.

Cmr. Gutierrez motioned to include the replacement of monies used with the next bond issuance. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni motioned to move up Item No. 20, No. 61 and No. 62. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 20 Discussion and possible action to approve an Intergovernmental Cooperation Agreement with the City of El Cenizo for the assignment of two (2) surplus Webb County vehicles to be used by the City of El Cenizo for law enforcement purposes at no cost or liability to Webb County. [Requested by Sheriff Rick Flores]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 61 Discussion and possible action to approve the following changes for personnel of the Webb County Sheriff's Department effective February 28, 2005. The salary increases are equal to the salary decreases and the amount of personnel costs budgeted for fiscal year 2004-2005 remains unchanged.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 62 Discussion and possible action to create seven (7) slots from the forfeiture funds for the Webb County Sheriff's Department for the Webb County Jail: 2 slots from fund 168 for the amount of \$48,754.00 with fringe benefits; 5 slots from fund 170 for the amount of \$121,885.00 with fringe benefits

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Rick Flores, County Sheriff, stated that the correct total should be \$24,377.00 not \$48,754.00 since it would only be one slot from Fund 168.

Motion carried 5-0 by unanimous consent.

- Item No. 13 Discussion and possible action to transfer slot #0033, Veterans Service Officer, from department #0200-County Judge to department #5050-Veterans Service Office effective 02-22-05 at an annual rate of \$42,000.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion and possible action to transfer slot #0611 Veterans Service Liaison from department #0101-Commissioners Court to department #5050-Veterans Service Office effective 02-22-05 as budgeted.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Public announcement regarding the potential high-risk for Dengue in the Laredo-Webb County area with discussion and possible action to direct appropriate staff to meet with City of Laredo officials in order to intensify mosquito control programs in the area and directing staff further to promptly report to the court at its regularly scheduled meetings of any and all progress in this endeavor.

Dr. Hector Gonzalez, City of Laredo Health Department Director, stated dengue has always been a threat in Webb County but that a lot has been done with the City's and County's assistance to reduce and contain dengue. He stated that there were several confirmed cases of dengue as well as West Nile in Laredo. He stated that they have been doing what they can to inform the public of what can be done to reduce the risk of these diseases and have been holding tire collections the first Saturday of every month. Cmr. Gutierrez congratulated Dr. Gonzalez for the work that he has done in the colonias and rural areas of Webb County. He stated that stagnant water and old tires are a problem in the colonias and would like to request that the Road and Bridge department look into what can be done to alleviate this.

Cmr. Gutierrez motioned to move up Item No. 43. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 43 Discussion and possible action to approve an amendment to professional service agreement with Dr. Arturo Garza-Gongora M.D. wherein Dr. Garza-Gongora will be providing additional medical and other services to the Webb County Sheriff Department, and authorizing the county judge to execute all relevant documents. [Requested by Webb County Sheriff]

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Rick Flores, County Sheriff, stated that they are expecting to have 100 federal prisoners by the end of the week and possibly reaching capacity of 180 at the end of next week.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move up Item No. 23 and incorporate it with Item No. 16. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23 Report from the County Engineer on the status of the TXDOT Border Colonias Access Program for the Bruni and Mirando Paving Projects.

- Item No. 16 Status report on Border Colonias Access Program, including an explanation of why only \$209,464.41 of the \$5,507,721.59 award has been spent where the grant was awarded on 01-10-03 with a three year time line for project completion, or the letting of the construction contract within two, so as to avoid forfeiture of the project funds; report to include times and dates when all requisite monthly schedules with project development timelines and estimated monthly expenditures for the same were submitted to TX Dot.

Mr. Tomas Rodriguez, County Engineer, stated that a letter to TX Dot was sent last week. He stated that the engineering for Phase I is complete and underway and the project should be completed in Rio Bravo by the end of December. He stated that he has been meeting with TX Dot for over three years on several projects and doesn't understand why a letter stating that the required information had not been submitted since it was TX Dot who held the project back one year when it hadn't completed the drainage project. Cmr. Gutierrez stated that she has been with Mr. Rodriguez during meetings with TX Dot and doesn't understand reasoning behind letter. She stated that it was TX Dot's inability to complete their tasks that delayed project. She requested that Mr. Rodriguez submit a weekly report on this project to her attention

- Item No. 17 Status report by County Engineer on Lewis Petro Properties, Inc.'s proposed drilling activities on the Webb County School Lands (State Highway 44) with discussion and possible action to complete the process in an expedited manner.

Judge Bruni stated that there was over \$1 million owed to the school lands from drilling activities. He stated that hundreds of new wells have been drilled but that no information has been submitted to the court that shows what has been charged for property damages or what royalties have been paid and where they have been deposited. He stated that the law firm contracted by the court for this matter needed to come before the court and address what has been done. He stated that Lewis Petro submitted a letter to his attention stating that they have been unable to obtain the proper permits from the planning department. Mr. Tomas Rodriguez, County Engineer, stated that he disagreed with Lewis Petro's statements and stated that he sent a letter to them on December 24, 2004 regarding the lease agreement and rights stated in the agreement. He requested that they submit a copy of the lease and to date has not received any information. Cmr. Gutierrez stated that the court needed to see what could be done to review the lease agreements and possibly establish a committee to take care of this administratively. She stated that the court needed to take a proactive approach. Mr. Homero Ramirez, County Attorney, stated that the court needed to be advised of anything that may affect the school lands. He stated that any investments made for school lands needed to be made through the general fund and not from proceeds. He stated that if an attorney or consultant is hired, they would have to be paid through the general fund. He stated that he submitted a letter to the law firm hired to monitor drilling activities on school lands advising them to be present at the next meeting. He recommended that they report

to the court on a monthly basis. Ms. Rhonda Tiffin, Planning Director, stated that after speaking with the County Attorney on Friday, Lewis Petro was issued a floodplain developing permit today and will be sent out this afternoon or tomorrow morning. She stated that an application was submitted but that it was not complete. She stated that the completed application was submitted on February 9th but that Lewis Petro refused to request a permit that was required.

- Item No. 18 Status report on the contract with Mr. Hugo Ramos for the performance of logging services on the water wells to be drilled on Webb County School Lands by Tetra Tech with discussion and possible action to retain the services of an additional logger, at a rate of \$150.00 per day, in order to perform nighttime logging services at the well.

Cmr. Gutierrez motioned to approve the item as submitted. Judge Bruni seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that the appropriate rate would be \$200 for a 12 hour day and \$350 for a 24 hour day. Judge Bruni stated that it would be a 24 hour operation. Mr. Hugo Ramos stated that the information submitted would include what strata they are at as well as the depth of the well.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to incorporate Item No. 44 with Item No. 18. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 44 Discussion and possible action to engage the services of Mr. Hugo N. Ramos to monitor the progress of a water well project to be conducted by Tetra Tech for a fee to be determined by the Commissioners Court, and authorizing the county judge to execute all relevant documents.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

BREAK (3:38 pm to 4:06 pm)

Cmr. Garza stated that for Item No. 12(c), the fund should be 658 not 659.

Cmr. Gutierrez motioned to move up Item No. 63. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 63 Discussion and possible action to approve \$2,600.00 increase to the Tax Assessor-Collector change fund from \$7,500.00 to \$10,100.00.
- Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 19 Action to reclassify and fill position slot #2236, from custodian to clerk at the same salary of \$9.76-\$10.05/Hr. and authorization to fill position slot #2201 clerk, both actions to be effective March 1, 2005.
- Cmr. Sciaraffa stated that this would be for the Building Maintenance Department.
- Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 21 Discussion and possible action authorizing the Purchasing Agent and the County Engineer to advertise for "Requests for Proposals" for the proposed Boys and Girls Club to be constructed in the vicinity of the Rio Bravo Community Park.
- Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Cmr. Sciaraffa thanked the court for the funding and support of this project. He stated that this club was needed in Rio Bravo for the betterment of the residents of Precinct 1. He thanked the mayor of Rio Bravo for his support. He stated that this will help the youth stay out of trouble. He also thanked Mr. Joe Rubio, District Attorney, for his donation of sport equipment for use in the club. He also thanked Cmr. Garza for his assistance in the construction of a library.
- Item No. 22 Discussion and possible action declaring a local state of disaster due to excessive rain and other weather conditions in the areas of the Colonias on Hwy 359 and Hwy 59, specifying the duration of the disaster order, and authorizing remedial assistance as necessary.
- Cmr. Gutierrez stated that the court has the authority to declare a local state of disaster when the restrictions are met. Mr. Jose Luis Rodriguez, Road and Bridge superintendent, stated that it would take approximately one week for the surface to dry sufficiently to begin work on the roads. He stated that in order to repair the

streets on the colonias on Hwy 359 and Hwy 59, he would need to postpone working on the other county roads.

Cmr. Gutierrez motioned to approve the item as submitted.

Cmr. Gutierrez stated that this would be necessary in order to assess the roads and prioritize repairs. Mr. Homero Ramirez, County Attorney, stated that the court can make the decision to issue an order as required in order to avoid a calamity but that this doesn't mean that they can go in and fix all the roads. Cmr. Gutierrez stated that Mr. Rodriguez would substitute work done at other roads and that there were sufficient monies in the budget. She stated that this would be a one time thing only.

Cmr. Garza seconded the motion made by Cmr. Gutierrez.

Cmr. Garza stated that his main concern was that there were no plans in place for the county roads. Cmr. Sciaraffa stated that he shared Cmr. Garza's concerns but was also concerned about declaring an emergency in order to repair private roads. Judge Bruni stated that this is a state of emergency. Mr. Raul Casso, Chief of Staff, stated that his concern was the lack of prioritizing the repair of county roads and whether or not the current situation meets the status for declaring an emergency. He stated that through the 2003 Bond Issuance, \$2 million was allotted for road improvement. He stated that the plan presented spoke only of county roads and not private roads, which brought up the concern about funding for the repair of private roads. Mr. Carlos Villarreal, Executive Administrator, stated that it was a stretch to classify this as an emergency. He stated that it would be the court's decision on what to do but that the county could not repair private roads without declaring an emergency. Judge Bruni stated that if the condition of the roads was a true emergency, it should have been declared a long time ago. Mr. Rodriguez stated that it would be up to the court what direction they wanted to go in. Cmr. Gutierrez stated that it would not be hundreds of miles but only enough to get out of the colonias.

Motion failed 2-3 with Judge Bruni, Cmr. Sciaraffa and Cmr. Cortez-Brunner voting against.

Item No. 24 Discussion and possible action on the presentation by the County Engineer on the proposed procedures for R.O.W. Acquisition for residents of Colonias for the purpose of providing water and wastewater service as well as the construction of roads and storm drainage improvements.

Cmr. Gutierrez stated that there needed to be an equitable way to look at colonia road repairs. Mr. Tomas Rodriguez, County Engineer, stated that they are currently working on Tanquecitos I and II and Los Ranchitos I and II. He stated that there are several factors in the delay in obtaining the ROWs for these roads. He stated that, 1) the attorney needs to verify that there are no liens or judgments filed against the property; 2) if there are liens or judgments, they need to be released before ROWs can be given; or 3) the owner has not been located or has not signed.

He stated that he cannot recommend Pueblo Nuevo as county roads since there have been several problems in obtaining the ROWs. He stated that without the proper documentation in place, water and sewer lines cannot be installed. Judge Bruni stated that the court can also declare imminent domain. Cmr. Gutierrez stated that if the court declares imminent domain, the county would have to pay the owners the fair market value of the property. Judge Bruni stated that these problems began with unscrupulous developers who sold the land knowing that there were no water/sewer services. He stated that this was now something that needed to be fixed by the county and State of Texas using taxpayer's monies. Cmr. Gutierrez stated that the problem was not created by the court or individual court members. She stated that she has worked hard to obtain funding for this project but that there are limited resources available for the multitude of projects that there are in Webb County. She stated that the roads cannot be repaired until the water and sewer lines have been repaired. Judge Bruni stated that he would instruct Mr. Raul Casso to send a letter to Senator Zaffirini and State Representative Richard Raymond for their assistance on this issue. He congratulated Mr. Tomas Rodriguez for his choice in ROW acquisition personnel.

- Item No. 25 Discussion and possible action to solicit a Request for Proposals from area engineers for a preliminary environmental study, including soil testing for foundation design, to be conducted on FM 1472 (NW Corner) and Lago Del Rio for possible future construction of building project.

Cmr. Cortez-Brunner stated that the area in question had previously been used as a dipping vat and needed to see whether soil was contaminated and appropriate for building construction.

Cmr. Cortez-Brunner motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 26 Status report on the Azteca Neighborhood Community Center's possible condemnation with discussion and possible action to direct appropriate staff to take action as necessary to remedy the conditions giving rise to health and safety concerns presently there.

Cmr. Cortez-Brunner stated that she has received several calls regarding the center closing due to condemnation. She stated that there are problems with rodents and contamination. She stated that Ms. Cynthia Mares, Community Action Agency director, had been instructed 3-4 months ago to look for an alternative location but that nothing had been done. She instructed Mr. Carlos Villarreal, Executive Administrator, to look into alternate locations for this center.

- Item No. 27 Discussion and possible action to approve an Intergovernmental Cooperation Agreement with the City of Laredo by providing financial

assistance in the amount not to exceed ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) to be expended from Fund 695 (County Park Development Series 2002) and Fund 658 (County Park Development Series 2003) towards the improvement of city parks (lighting of baseball field at Father McNaboe Park and playground module for the Noon Lions Park), and authorizing the County Judge to execute all relevant documents.

Cmr. Sciaraffa motioned to approve the item as submitted. Judge Bruni seconded the motion.

Cmr. Cortez-Brunner thanked Councilman Jose Valdez for his assistance on this project.

Motion carried 5-0 by unanimous consent.

Item No. 28 Discussion and possible action to approve an Intergovernmental Cooperation Agreement with the City of Laredo by providing financial assistance in the amount not to exceed ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) expended from Fund 696 (Capital Outlay Series 2002) towards improvement of neighborhood centers (modular building at the "La Ladrillera" Neighborhood Facility), and authorizing the County Judge to execute all relevant documents.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 29 Discussion and possible action to appoint members to a committee to review and evaluate District Record Electronics (DRE) equipment and proposals from state certified vendors for further recommendations to Commissioners Court:

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| 1. Jerry Garza | Webb County Commissioner Pct. 3 |
| 2. Raul Casso | Chief of Staff |
| 3. Carlos Villarreal | Executive Administrator |
| 4. Oscar Villarreal | Interim Elections Administrator |
| 5. Eduardo Flores | MIS |
| 6. Christy Alvarado | MIS |
| 7. Eloy Ramirez | Purchasing Agent |

Cmr. Garza motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Cmr. Garza stated that it should be Direct not District Record Electronics equipment.

Motion carried 5-0 by unanimous consent.

- Item No. 30 Discussion and possible action for approval to accept Grant Award from the Emergency Food Shelter Program /FEMA, for FY 2005, in the amount of \$35,000.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 31 Discussion and possible action for approval on appointing to the Webb Community Action Agency Advisory Board, Ms. Oralia Reyes as the official representative of Commissioner Frank Sciaraffa, Precinct.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 32 Discussion and possible action to fill Slot 1848 (Driver), @ \$8.25/hr., (30 hrs. /wk.), effective February 28, 2005. Funding comes from the Community Services Block Grant (CSBG) --- NO IMPACT ON GENERAL FUND.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to enter into a Mental Health Service Agreements with Lighthouse Professional Counseling Services for Children enrolled in the Webb County Head Start Program for a period of eighteen (18) months, beginning February 1, 2005 through July 31, 2007, at reduced fees as set forth in the agreements, and authorizing an exemption from section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.
[Requested by Head Start, Account No. 903-4208-6218
(Medical/Dental Exam)]

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 34 Discussion and possible action to enter into a one (1) year subscriber agreement with Habla-Tex to provide Nextel Communication Services for one Nextel phone. The cost of the one (1) Nextel phone is ONE HUNDRED AND ONE DOLLARS AND NINETY-EIGHT CENTS (\$101.98) with a monthly communication air-time service fee for the phone of FORTY DOLLARS AND NINETY-NINE CENTS (\$40.99) for a total cost of FIVE HUNDRED AND NINETY-THREE DOLLARS AND EIGHTY-SIX CENTS (\$593.86) over the term of the agreement, and authorizing the county judge to execute all relevant documents. [Requested by Facilities Department, Account No. 001-0109-6004 (Telephone)]

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 35 Discussion and possible action to enter into an Equipment Lease Agreement with Office Communications Systems, Inc. for one (1) Toshiba ES 810 Digital Copier and accessories to be located at the Webb County Public Defenders Office for a thirty-six (36) month period (February 28, 2005 through February 27, 2008) in the amount of ONE THOUSAND THIRTY-FIVE DOLLARS AND EIGHTY-SEVEN CENTS (\$1,035.87) per quarter for a total of TWELVE THOUSAND FOUR HUNDRED AND THIRTY DOLLARS AND FORTY-FOUR CENTS (\$12,430.44) over the lease term and authorizing the County Judge to sign all relevant documents. [Requested by Public Defender, Account No. 001-1102-6402 (Repairs and Maintenance)]

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 36 Discussion and possible action to enter into an Equipment Maintenance Agreement with Office Communications Systems, Inc. for one (1) Toshiba ES 810 Digital Copier for the Public Defenders Office for a twelve (12) month period (February 28, 2005 through February 27, 2006) with copy overages invoiced at \$.0058 per print copy and authorizing the County Judge to sign all relevant documents. [Requested by Public Defender, Account No. 001-1102-6402 (Repairs and Maintenance)]

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action to enter into an Equipment Maintenance Agreement with Office Communications Systems, Inc. for two (2) Toshiba ES 250 Digital Copiers for the Webb County Drug Task Force for one (1) year (January 21, 2005 through January 20, 2006) with a monthly base rate of TWENTY-FIVE DOLLARS (\$25.00) with copy overages invoiced at \$.009 per print copy and authorizing the County Judge to sign all relevant documents. [Requested by Drug Task Force, Account No. 297-1100-6402 (Repairs & Maintenance Equipment)]

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 38 Discussion and possible action to enter into a two (2) year lease (October 1, 2004 through September 30, 2006) with Montego Properties, Ltd. for office lease space for the Webb and Zapata County District Attorney Task Force at a monthly rental fee of ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00), and authorizing the county judge to execute all relevant documents. [Requested by Webb and Zapata County District Attorney; Account No. 297-1100-6012 (Rental)].

Mr. Homero Ramirez, County Attorney, stated that the correct lessor was Mr. Xavier Villarreal, not Montego Properties, Ltd.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action to accept 4 rights of way and public utility easements, out of Pueblo Nuevo Subdivision, one (1) right of way and public utility easement out of San Carlos Phase II Subdivision, 4 rights of way and public utility easements out of Ranchitos IV Los Minerales Subdivision, 2 rights of way and public utility easements out of Ranchitos IV Los Minerales Annex Subdivision, 4 rights of way and public utility easements out of Peñitas Subdivision, 10 rights of way and public utility easements out of Los Centenarios Subdivision and 3

Warranty Deeds out of Rio Bravo City, Texas, and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 40 Discussion and possible action to transfer funds, effective February 28, 2005:

FROM:

001-1101-0243	Assistant County Attorney	\$4,517.00
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TO:

001-1101-0239	Assistant County Attorney	\$4,517.00
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Cmr. Garza motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 41 Discussion and possible action to enter into a construction contract with PU-MA Builders Co. Inc., in the amount of SEVEN HUNDRED FORTY THOUSAND NINE HUNDRED TEN DOLLARS (\$740,910.00) for the Webb County Records Management Building and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 42 Discussion and possible action to approve a deductive Change Order Number 1 to the Webb County Records Management Building construction contract with PU-MA Builders Co., Inc., reducing the construction cost by ONE HUNDRED TWENTY-THOUSAND THREE HUNDRED SIX DOLLARS for a total construction cost of SIX HUNDRED TWENTY THOUSAND SIX HUNDRED FOUR (\$620,604.00) and authorizing the County Judge to sign all relevant documents.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 45 Discussion and possible action to approve the following line item transfer:

From:		
001-1011-6402	Equipment maintenance	\$2,500.00
To:		
001-1011-6011	Training & Education	\$2,500.00

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 46 Discussion and possible action to approve the following line item transfer:

From:		
001-1011-7053	Detention hearings	\$16,000.00
To:		
001-1011-6024	Court appointed/attorney fees	\$16,000.00

to cover Mental Hearing.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 47 Discussion and possible action to approve the following line item transfers:

From:		
297-1100-6224	Minor Apparatus and Tools	\$ 4,800.00
To:		
297-1100-6001	Office Supplies	\$2,000.00
297-1100-6201	Late Utilities Late Fees	\$300.00
Create new account:		
Uniforms	297-1100	\$2,500.00
	Total:	\$4,800.00

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48 Discussion and possible action to approve a Resolution for submission of the grant application for the Court Advocate (Prosecutor) Position to the Office of the Governor, Criminal Justice Division, Violence Against Women's Act Program.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 49 Discussion and possible action to submit a contract time extension request to the Office of Rural Community Affairs for the Webb County 2002 CEDAP Project Contract #721175 (Colonias Tanquecitos I and Old Milwaukee) time extension up to July 5, 2006.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Juan Vargas, Economic Development Director, stated that this was a \$500,000 project. He stated that there were no water and sewer lines in place and extension was needed until they were in place.

Motion carried 5-0 by unanimous consent.

- Item No. 50 Discussion and possible action to authorize the submission of a project application for re-funding to the U.S. Department of Justice, Office on Violence Against Women, for a Webb County Supervised Visitation and Safe Exchange Center Project. The total project cost will not exceed Two Hundred Ninety-Five Thousand (\$295,000.00) over a two year period. There will be no County Cash match and authorizing the County Judge to execute all relevant documents.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 51 Discussion and possible action to approve a Resolution authorizing the following County Officials; Honorable Louis H. Bruni, Honorable Frank Sciaraffa, Honorable Judith G. Gutierrez, and Honorable Cindy Cortez Brunner to be designated as Authorized Signatories for the Texas Department of Housing and Community Affairs for the Webb County Colonia Self-Help Center TCDP Contract # 724003.

Cmr. Garza motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 52 Discussion and possible action to fill the following positions: (1) VISTA Program Supervisor/Coordinator, slot #2212 at a salary of no more than thirty-five thousand dollars (\$35,000) based on experience at no cost to the General Fund. [Funding by the VISTA Program] (2) Housing Rehabilitation Coordinator position, slot #2239 at a salary of

no more than twenty-five thousand dollars (\$25,000) based on experience. [Funding available in 001-0104-5001]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 53 Discussion and possible action to approve a Resolution Authorizing the filing of a Community Outdoors Outreach Program Grant Application with the Texas Parks and Wildlife Department for grant funds not to exceed \$30,000.00; and Authorizing the County Judge to act as the County's Executive Officer and Authorized Representative in all matters pertaining to the County's participation in the Community Outdoor Outreach program.

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 54 Discussion and possible action to approve the following line item transfer:

From:		
903-4208-5001	Payroll	\$15,000.00
To:		
903-4207-8801	Capital Outlay	\$15,000.00

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 55 Discussion and possible action to authorize the Purchasing Agent to purchase a cellular phone with 500 minutes for an estimated amount of \$50.00 from Autophone of Laredo for Mr. Manuel Villarreal, Rio Bravo Community Center Director.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 56 Discussion and possible action to authorize the Purchasing Agent to obtain surveying services from Howland Engineering & Surveying Company in the amount of \$7,500.00 for the following Right of Way:

Hall Street (between Hwy 359 and Molina Ave.) and Bonita Avenue (between Welhausen St. and Hall St.) in Oilton, Texas for the Road and Bridge Department.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Eloy Ramirez, Purchasing Agent, stated that no RFPs would be required for this item.

- Item No. 57 Discussion and possible action to authorize the Purchasing Agent the disposition of salvage or surplus property, Section 263.151 thru 263.158, Texas Local Government Code for obsolete and duplicate books from the Law Library, Rosie Cuellar-Castillo, Director.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that the books needed to be disposed of since no one wanted to purchase them.

Motion carried 5-0 by unanimous consent.

- Item No. 58 Discussion and possible action to authorize the Purchasing Agent to purchase the following equipment and accessories for the Constable Pct. 3 Annette Munoz:

Vehicle	Vendor	Price
One Ford 150 Super cab	Phipott Motor Company	\$17,046.00
Equipment	Vendor	Price
Radar	Decatur Electronics	\$ 1,990.00
In-Car Video System	Decatur Electronics	\$ 3,015.00
Lightbar	G.T. Distributors, Inc.	\$ 2,469.70
Two-Way Radio	Tri-County Comm., LTD	\$ 1,558.00
Emergency Accessories	Villarreal Electric Co., Inc.	\$ 1,025.63
Public Safety Console	Emergency Supplies of Pasadena	\$399.50
Installation of Grille Guard	Laredo Muffler Shop, Inc.	\$ 175.00
Reflective Decals	Visual Signs	\$ 420.00
GRAND TOTAL.....		\$28,098.83

Cmr. Sciaraffa motioned to approve the item as submitted. Cmr. Gutierrez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that this item was brought before the court at a previous meeting. He stated that this was the standard equipment and accessories for law enforcement.

Motion carried 5-0 by unanimous consent.

Item No. 59 Discussion and possible action to award/reject the following bids for the Rio Bravo Housing Rehabilitation Program, Self-Help Program:

Bid 2005-46

San Juanita Navarro
1533 Margarita
Rio Bravo, Texas

Two Sons Construction
\$10,670.00

Guadalupe Arce
1550 Margarita
Rio Bravo, Texas

Two Sons Construction
\$17,400.00

Bid 2005-47

Clarita Ramos
1733 Patricia Lane
Rio Bravo, Texas

Two Sons Construction
\$22,740.00

Sara Morales
1426 Centeno
Rio Bravo, Texas

Two Sons Construction
\$21,410.00

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 60 Discussion and possible action to authorize the Webb County Purchasing Agent to go out for bids for equipment needed for the Road & Bridge Department.

Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, requested that this item be tabled until the next meeting. He stated that he would be meeting with Mr. Carlos Villarreal and Mr. Raul Casso regarding this item tomorrow.

Cmr. Garza motioned to table this item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to move into Executive Session. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (5:25 pm to 5:59 pm)

Judge Bruni reconvened the meeting and stated that absolutely no action was taken while in Executive Session.

- Item No. 64 Discussion and possible action for Members of Commissioners Court to appoint members of the Webb County Employee Grievance Committee pursuant to §14.04 of the Webb County Personnel Policies Manual, and any related matters. Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

Mr. Homero Ramirez, County Attorney, stated that the appointment is necessary. He stated that it could be elected officials, department heads or general public but could not be members of the court.

The court appointed the following persons:

Judge Bruni	Mr. Bobby Mancha
Cmr. Sciaraffa	Ms. Lourdes Liendo
Cmr. Gutierrez	Mr. Eloy Ramirez
Cmr. Garza	Will submit name at a later time
Cmr. Cortez-Brunner	Ms. Vicky Cantu

Mr. Homero Ramirez, County Attorney, stated that the committee can meet as long as there is a quorum present but that the former employee can request that the full committee be present. He stated that Cmr. Garza can simply advise Judge Bruni of his appointment as well as submit a copy to the County Clerk.

- Item No. 65 Discussion and possible action to engage the services of Allison Bass and Associates to perform legal services intended for environmental litigation in connection with Ponderosa landfill application. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)].

Mr. Homero Ramirez, County Attorney, requested that this item be tabled.

Cmr. Gutierrez motioned to table this item. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 66 Adjournment

Cmr. Sciaraffa motioned to adjourn. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.